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CERTIFICATION OF PESTICIDE APPLICATORS

Recently we conducted a survey to determine the Certification status of Forest Service applicators who use or supervise the use of restricted use pesticides as part of their work on FS lands in the Northeastern Area (including the 14 National Forests in Region 9). You may find what we found to be helpful.

There is confusion about the meaning of "Private Applicator" and "Commercial Applicator." Federal & State employees who use restricted use pesticides must be certified as Commercial Applicators. Private applicators, for all practical purposes, are farmers or other individuals who are certified to use restricted use pesticides on their own lands; but they cannot legally apply restricted use pesticides on public forest lands.

Some people also seem confused about the need to have commercial applicators certified in various categories. Commercial applicators must be certified in the SPECIFIC CATEGORY for which they apply restricted use pesticides. Certification in one category does not confer certification in other categories. The categories do not overlap, and are not all-inclusive.

Certification in the FOREST PEST CONTROL category, as an example, does not cover all situations of use on forest property. This means that in order to apply restricted use pesticides to a lake which happens to be in the forest, the applicator must be certified in the AQUATIC PEST CONTROL category. Also, application to roadsides or power lines that happen to be on forest lands requires certification in the RIGHTS-OF-WAY category. The DEMONSTRATION AND RESEARCH category is primarily for individuals who demonstrate restricted use pesticides to the public or who are conducting research. This category, therefore, is of limited value to most forest workers.

It is necessary to check your State regulations and have employees certified in appropriate categories to meet your particular needs. You should have personnel certified in all categories in which there is a likelihood of applying restricted use pesticides.

## FEDERAL AGENCY CERTIFICATION PLAN

The USDA Plan was submitted to EPA and has been returned with some suggestions for changes. The Plan is now going through the Department on its way back to EPA for approval. Although we have no official estimates of a date for final approval, we expect an approved plan late this fiscal year. Non-Federal employees, of course, will not be eligible for certification under the Federal plan.

## CANCELLATION AND SUSPENSION

Recent actions taken by EPA against the continued registration of most uses of 2,4,5-T and Silvex have again brought to our attention those familiar words, "Cancellation," "Suspension," and "Emergency Suspension." What do these words mean? How does the Cancellation/Suspension process work? And, what is the significance of these words in regard to the future use and availability of affected products?

To begin, there are three ways a pesticide registration may be cancelled: (1) A registrant may not wish to continue marketing a product and will request EPA to cancel the registration; (2) registrations are valid for only 5 years; if they are not renewed by the registrant they are automatically cancelled; or, (3) the Administrator of EPA can cancel a registration because it is felt that continued use may cause unreasonable adverse effects on the environment.

Cancellation means that some or all of the registered uses of a pesticide product will no longer be allowed by EPA. The product will ultimately be removed from the market place. The key word is "ultimately".

During the cancellation process, which may take several years, the pesticide continues to be manufactured, distributed, sold and used. Even after a cancellation order becomes final, the pesticide is usually available several more years as existing stocks and supplies are used up.

Cancellation does not lead to an immediate halt of pesticide use. Therefore, if EPA feels that the continued use may cause an imminent hazard to human health, the agency may decide to suspend such uses until a final order concludes the cancellation process.

Even the suspension process involves hearings and delays and permits continued use until the suspension order becomes final. In order to immediately stop all use and sale of a pesticide, EPA must announce an Emergency Suspension.

## 2,4,5-T and SILVEX

On April 16, USDA submitted to EPA a request for hearings on the notice to cancel certain registrations of 2,4,5-T and Silvex. USDA wishes to present testimony and related documents on benefits and exposure regarding silviculture and other Forestry related uses of 2,4,5-T and Silvex. If no one had requested a hearing within 30 days from the date of EPA's official notice, the cancellation would have been effective.

The hearings, to begin after June 5, entail a complete scientific review and, therefore, the cancellation process will probably be prolonged. The total process may take years to resolve. After the hearings are completed EPA will issue a final order that either: (1) returns the products to full registration status; (2) cancels all or some of the uses; or (3) requires modification of the labeling of the products. In making the final decision the results of the scientific review will be considered along with the impact of cancellation on production and costs of agricultural products. This final decision can also be appealed -- further delaying final resolution. The 2,4,5-T/Silvex issue could be with us for a long time.

## CARBARYL AND PROTESTS

The onset of the Spring spray season is producing more than the usual number of TV, radio, and newspaper articles about possible human health problems resulting from forest pesticide use. Concern over carbaryl and its potential for causing birth defects in humans became a highly emotional issue for some people in New Jersey and Maine following recent news releases. EPA recently wrote to the New Jersey Department of Agriculture and apologized for any misinterpretation that may have resulted from information released by the agency. EPA said in part:

"We are very concerned that any statement made by any of our employees could be construed as a recommendation to evacuate pregnant women from areas to be sprayed with carbaryl for gypsy moth control. The facts at our disposal do not in any way support such drastic action and we would consider it to be inappropriate to so alarm the public.

The Agency has reviewed all available information on the teratogenic potential of carbaryl and has no evidence suggesting that exposure to carbaryl may have caused birth defects in humans. Since experimental exposure to carbaryl has caused birth defects in dog, carbaryl may have some potential to do so in humans, and the Agency is currently attempting to assess that potential. However, since a teratogenic study of carbaryl in rhesus monkeys was negative, it would appear that the teratogenic potential in humans, if any, is not great."

EPA says that unnecessary exposure of pregnant women to any chemical should be avoided.

